

REMARKS

In the Final Office Action¹ dated February 8, 2006, the Examiner rejected claims 1, 2, 4-6, 8, 9, 25-28, 30-35, 39, 40, 55, 56, 58-65 and 69 under 35 U.S.C. § 103(a) as being unpatentable over Ellis et al. (U.S. Patent Appl. Pub. No. US 2005/0028208) (*Ellis*) in view of Daniels (U.S. Patent Appl. Pub. No. US 2002/0032907) (*Daniels*). The Examiner also relied upon Knudson et al. (U.S. Patent Appl. Pub. No. US 2005/0204388) (*Knudson*) because it is incorporated by reference into *Ellis*. The Examiner indicated allowable subject matter in claims 21-23, 36-38, 51-53, and 66-68 if they are rewritten in independent form. The Examiner allowed claims 70-253.

In response to the Examiner's indication of allowable subject matter in claims 21-23, 36-38, 51-53, and 66-68 (Final Office Action, p. 9), Applicant has canceled claims 1, 2, 4-6, 8, 9, 25-28, 35, 39, 40, 56, 58-65, and 69, without prejudice or disclaimer of their subject matter. Applicant has amended claim 21 to include the subject matter of claim 9; claim 36 to include the subject matter of claims 25, 30, 31, 34, and 35; claim 51 to include the subject matter of claim 40; and claim 66 to include the subject matter of claims 55, 58, 59, 60, 61, 62, 64, and 65. Because the Examiner indicated that claims 21-23, 36-38, 51-53, and 66-68 "would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims" (Office Action, p. 9), Applicant submits these amendments place the application in condition for allowance.

¹ The Office Action contains a number of statements reflecting characterizations of the related art and the claims. Regardless of whether any such statement is identified herein, Applicant declines to automatically subscribe to any statement or characterization in the Office Action.

Applicant respectfully requests that this Amendment under 37 C.F.R. § 1.116 be entered by the Examiner, placing claims 21-23, 36-38, 51-53, 66-68, and 70-253 in condition for allowance. Applicant submits that the proposed amendments of claims 21, 36, 51, and 66 do not raise new issues or necessitate the undertaking of any additional search of the art by the Examiner, because all of the elements and their relationships claimed were either earlier claimed. Therefore, this Amendment should allow for immediate action by the Examiner.

Furthermore, Applicant submits that the entry of the amendment would place the application in better form for appeal, should the Examiner dispute the patentability of the pending claims.


In view of the foregoing remarks, Applicant submits that this claimed invention, as amended, is neither anticipated nor rendered obvious in view of the prior art references cited against this application. Applicant therefore requests the entry of this Amendment, the Examiner's reconsideration and reexamination of the application, and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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